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AF/1632
MS AF
RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1632

PATENT
0760-0294P

IN THE U.S. PATENT AND TRADEMARK OFFICE

RECEIVED

Applicant: Keizaburo MIKI et al. Conf.: 9592
Appl. No.: 09/914,190 Group: 1632
Filed: March 20, 2002 Examiner: V. E. BERTOGLIO
For: TRANSGENIC MOLLUSK AND METHOD FOR
PRODUCING THE SAME

MAR 08 2004

NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS

MS AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

February 27, 2004

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated August 29, 2003 of the Primary Examiner finally rejecting claims 6-17.

☐ This document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The applicant(s) hereby petition(s) for an extension of three (3) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

The fee has been calculated as shown below:

☒ NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$950.00 is required for the full period of the above-requested extension of time.

☐ An extension of _____ () month(s) for responding to the Final Rejection was previously requested and paid for on _____. Thus a fee of \$0.00 is required to obtain an additional _____ () month(s) for filing the Notice of

03/03/2004 CNGUYEN 00000050 09914190 330.00 OP
01 FC:1401 950.00 OP
02 FC:1553

Appeal.

☐ Applicant claims small entity status. See 37 C.F.R. § 1.27.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

☒ Large entity - \$330.00

☐ Small Entity - \$165.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$1,280.00.

Payment of the above TOTAL FEE is being made in the following manner:

☒ Check(s) in the amount of \$1,280.00 is/are enclosed.

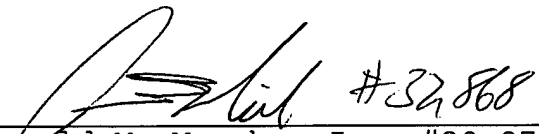
☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

 #32,868
Gerald M. Murphy, Jr., #28,977


GMM/KJR:trb
0760-0294P

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